

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1143 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE J.M.PANCHAL

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

PATEL CHETAN AMRUTLAL

Versus

GUJARAT SECONDARY EDUCATION BOARD

Appearance:

MR PR JOSHI for Petitioner

MR MC BHATT for respondent

CORAM : MR.JUSTICE J.M.PANCHAL

Date of decision: 10/02/97

ORAL JUDGEMENT

Rule. Mr.M.C.Bhatt, learned counsel waives service of notice of Rule on behalf of respondent.

At the request of learned advocates appearing for the parties, the petition is heard today.

By means of filing this petition under Art. 226 of Constitution, the petitioner has prayed to issue a

writ of mandamus or any other appropriate writ, or order directing respondent to produce Answer Sheets of the petitioner relating to subjects of Chemistry, Physics and Biology of Std.XII examination which was conducted in March, 1996.

The petition was placed for admission hearing before court on February 5, 1997 and after hearing learned counsel for the petitioner, notice was issued making it returnable today. Under instructions of Mr. Jadav, Officer of respondent Board who is personally present in the court, learned counsel for the respondent states that the Answer Sheets are produced before the court and correction in marks is required to be made in subjects of Sanskrit and Biology. What is emphasized by the learned counsel for the respondent is that necessary fees are not paid by the petitioner, while making application for rechecking of Answer Sheets, and therefore, the petitioner should be directed to pay necessary fees so that appropriate action can be taken by the respondent.

In view of the statement made by the learned counsel for the respondent, following directions are issued :-

The petitioner is directed to pay the prescribed fees to the respondent latest by tomorrow. On receipt of necessary fees, the respondent shall issue corrected Mark Sheet to the petitioner immediately and latest by February 14, 1996.

Rule is made absolute to the extent indicated hereinabove, with no order as to costs. Direct service is permitted.
